



To Whom It May Concern:

North Lakes Academy is a Charter School which has been serving the community of Forest Lake Minnesota since 1999. Currently the district has a middle school site (grades 5-8) at 255B NW 7th Ave in Forest Lake, MN, and an upper school site (grades 9-12) at 308 15th St SW.

The district is expanding to offer elementary grades, and a new facility is being constructed to house grades K-8 at 4576 232nd St N in Forest Lake, MN; the first phase (First Floor) will be available for occupancy September 2019 to hold grades K-5 and the second phase (Second Floor) will be available for occupancy January 2020 for grades 6-8. In total, the new building will house 585 students with over 26% eligible for free or reduced lunch.

The reason for the delay in submitting our 471 form was due to a delay in securing external funding and narrowing the project scope for the new facility. Initially, NLA was anticipating closing on bond financing in early October 2018 so that we could start construction before the end of 2018. Due to the fluctuating market conditions, the negotiation with potential bond investors was delayed and thus closing of the bond financing did not occur until January 17th, 2019. Upon closing, we released the architect to complete the construction drawings for the footings and foundation. Those plans were then submitted into the city for review and permit. The footings and foundation permit was issued on February 12th, 2019 and site prep commenced on February 13th.

Upon submission of footings and foundation drawings, the architect started on completing the Construction Drawings (CD) for the building. The CD had to be significantly altered from the original plan as the budget had been reduced by 25% in order to secure funding. The CD was completed on February 18th and submitted to the city of Forest Lake for permit review on February 19th. We were aware that the filing deadline for the form 470 was February 27th and that of the 471 was March 27th, but without a permit we did not feel comfortable asking for bids from providers when there was still a chance the construction project would not be approved by the city. In addition to receiving approval from the city, we also needed approval from the Minnesota Department of Education for the altered project scope.

By the third week of March, we had yet to receive the permit from the city or official approval from MDE. Knowing that the deadlines for the 470 submission had already passed, we made calls into both entities to inquire about the likelihood of approval. In both instances we received enough feedback to feel comfortable submitting the 470 for bids on both Category 1 and Category 2 items. The form was submitted on March 26th and the 28-day competitive bidding window was opened.

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On April 4th the Minnesota Department of Education officially approved our project and on April 11th the permit was issued from the city of Forest Lake. During the month of April, we received several bids for each of the eligible items. On April 23rd we met the required 28 days of open bidding and closed our 470. We made our vendor selections and submitted our 471 on April 26th. We also immediately filed for the FCC Waiver. On September 1st we received notice from the FCC that our waiver was denied. We feel that we were not negligent in our eRate filings and so are asking for reconsideration. Market forces and delays from oversight entities pushed the dates of our submissions. We were aware of the eRate deadlines but did not want to abuse the bidding process given the real chance our project could be further delayed or denied outright. As soon as we felt comfortable filing the forms we did so and continued to stay punctual as we went through the bidding, vendor selection, and waiver processes.

We hope that the FCC will reconsider our 471 waiver. The supportive funding provided by the FCC through the USAC has a very large impact in how we serve our students and our community as a whole.

Thank you for your reconsideration,

A handwritten signature in blue ink that reads 'Michael Higgins'.

Michael Higgins
IT Director
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